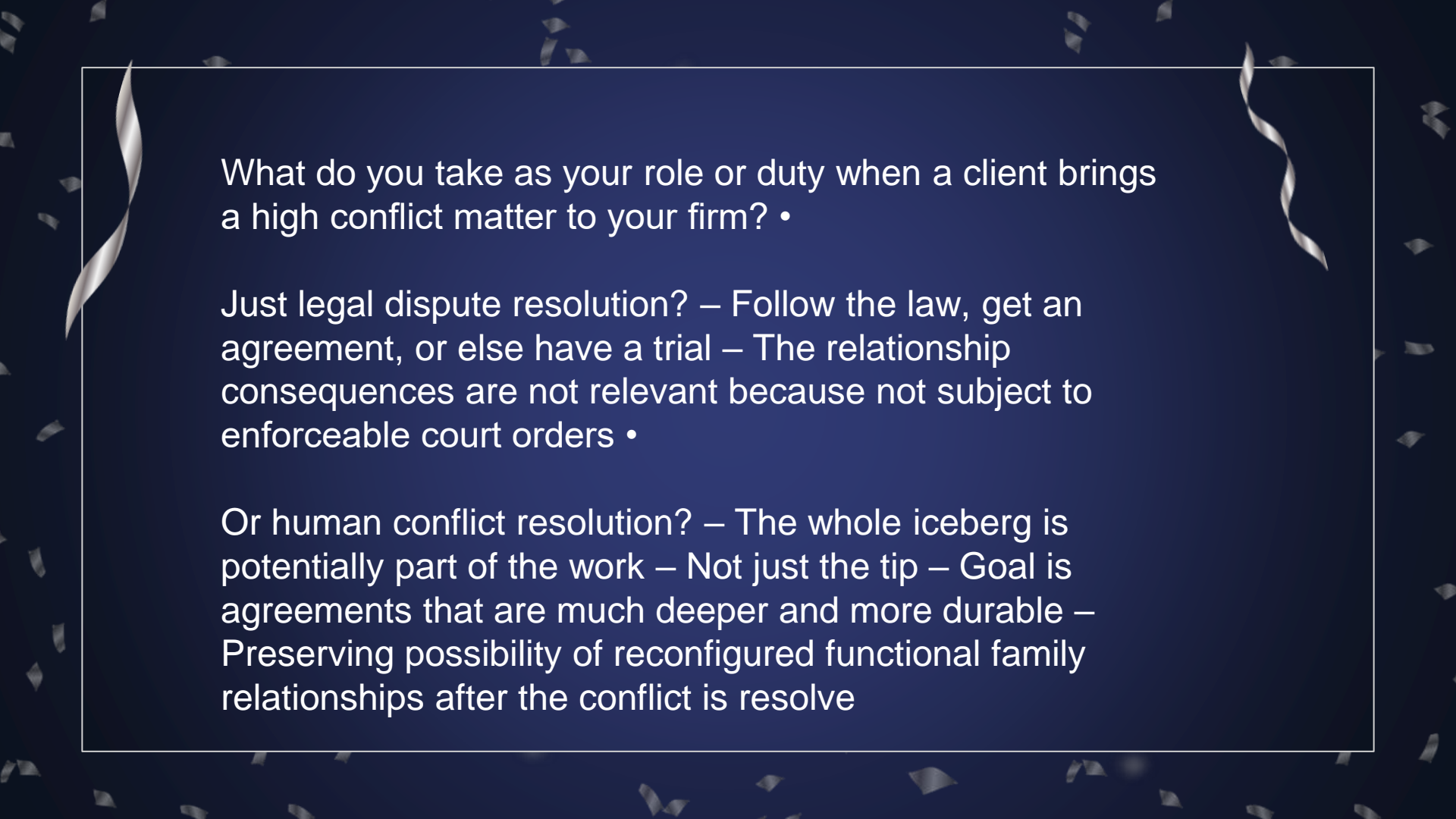


LITIGATE!

AGE OLD STORY OF RUPTURED RELATIONSHIPS



What do you take as your role or duty when a client brings a high conflict matter to your firm? •

Just legal dispute resolution? – Follow the law, get an agreement, or else have a trial – The relationship consequences are not relevant because not subject to enforceable court orders •

Or human conflict resolution? – The whole iceberg is potentially part of the work – Not just the tip – Goal is agreements that are much deeper and more durable – Preserving possibility of reconfigured functional family relationships after the conflict is resolve

Chief Justice Warren Burger



"The entire legal profession has become so mesmerized with the courtroom contest that we tend to forget that we ought to be healers of conflict."



APRIL**2016**

DEKALB**ILLINOIS**

https://www.youtube.com/watch?v=JKXv1_Sqe_4

The background of the slide is a dark blue gradient, decorated with numerous small, light-colored confetti pieces that appear to be falling from the top. A thin white rectangular border frames the central text area.

COLLABORATIVE PRACTICE

MEDIATION & ARBITRATION

ADR



STU WEBB

Founding Father of Collaborative Practice

Stuart coined the term “collaborative law” and opened up a new, more humane path to the dissolution of a marriage. Early 1990s

IACP INTERNATIONAL ACADEMY OF
COLLABORATIVE PROFESSIONALS

HAVE YOU HEARD?



IACP HAS BEEN NOMINATED FOR A
NOBEL PEACE PRIZE

IACP

International Academy of Collaborative Professionals

About IACP:

IACP is the International Academy of Collaborative Professionals, an international community of legal, mental health and financial professionals working in concert to create client-centered processes for resolving conflict.

Mission:

To transform the way families resolve conflict by building a global community of Collaborative Practice and consensual dispute resolution professionals

The organization boasts members across 42 states and 22 countries, spanning five continents. To learn more about IACP, please visit

<https://www.collaborativepractice.com/about-iacp>.

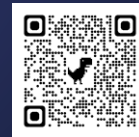
IACP

International Academy of Collaborative Professionals

Purpose of Collaborative Practice:

- Empowers you to resolve your legal disputes without judges, magistrates or court personnel making decisions for you.
- Provides you with specially trained Collaborative lawyers, mental health and financial professionals to educate, support and guide you in reaching balanced, respectful and lasting agreements.
- Offers you a safe and dignified environment to reduce the conflict and minimize its impact on you, your children, your family and your life.

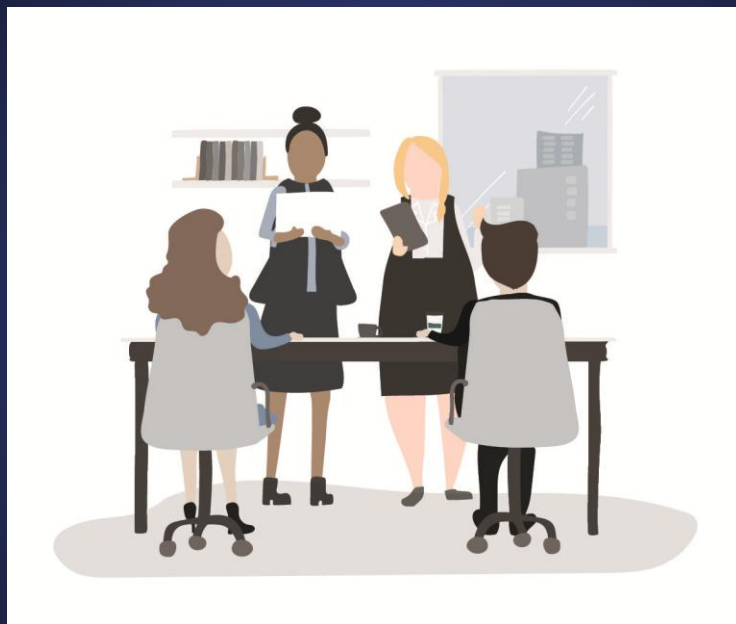
More info at: <https://www.collaborativepractice.com/>





What is the collaborative process?

Do you know if it has any application to your legal practice?



SOOTHING THE ACTIVATED BRAIN •

“Part of our job is to help angry or upset people (including ourselves) “down-regulate” so that the thinking brain is biochemically available again

We are triggered constantly. Through biochemical contagion, our brains mirror the amygdala hijacks of others

No good work, and no good decisions, are possible until the three parts of the triune brain are again working together harmoniously” per Pauline H Tesler.

MENTAL HEALTH PROFESSIONALS (MHP)

Collaborative practice can employ the assistance of Mental Health Professionals (MHP's), who in turn can provide guidance in a few different capacities.

MHP

- It is important to note that although MHP's are used in the collaborative process, the parties are not receiving "therapy" as most people may assume.
- While therapy tends to address past behaviors and issues, in collaborative divorce the MHP assists parties in addressing their emotions with the current situation, and help them to prepare to move forward in the process in the most efficient way.

MHP

- The MHP assists in making sure the process stays on a productive track and that the parties effectively communicate with each other.
- There are certain “triggers” that can derail the process during the crisis of divorce and the parties may need support on how best to communicate their interests and priorities.

The background is a solid dark blue. It is decorated with several white, wavy streamers that appear to be floating or falling. There are also many small, white, diamond-shaped confetti pieces scattered across the entire surface. A thin white rectangular border is visible, framing the central text area.

SPLIT: The early years
<https://vimeo.com/785048420>

The background of the slide is a dark blue gradient, overlaid with a pattern of small, light-colored, diamond-shaped confetti pieces that appear to be falling from the top. A white rectangular border is centered on the slide, enclosing the text.

Financial Neutral

COLLABORATIVE PRACTICE DEVELOPMENT

December 2018 pioneer batch of Malaysians were trained in CP.

Inaugural gathering of Collaborative lawyers and the creation of the Malaysian Collaborative Practice Group

18.3.2021 Malaysia joined the IACP Global Partners Programme.

30.4.2021 Online Australasian Spring Introductory Interdisciplinary Collaborative Practice Training.

Presentation to Bar Council for an IACP Malaysia Facebook Page and buy in.

Third training in Introductory Interdisciplinary Collaborative Practice Training. Completed in November 2022.

Fourth Training in Introductory Interdisciplinary Collaborative Practice Training. Completed in April 2024.


MCPG

The symbolism - 3 professionals working together or 2 parents with child in the centre, double hearts, stylised weaving & colourful to signify diversity.



MCPG

Malaysian Collaborative Practice Group



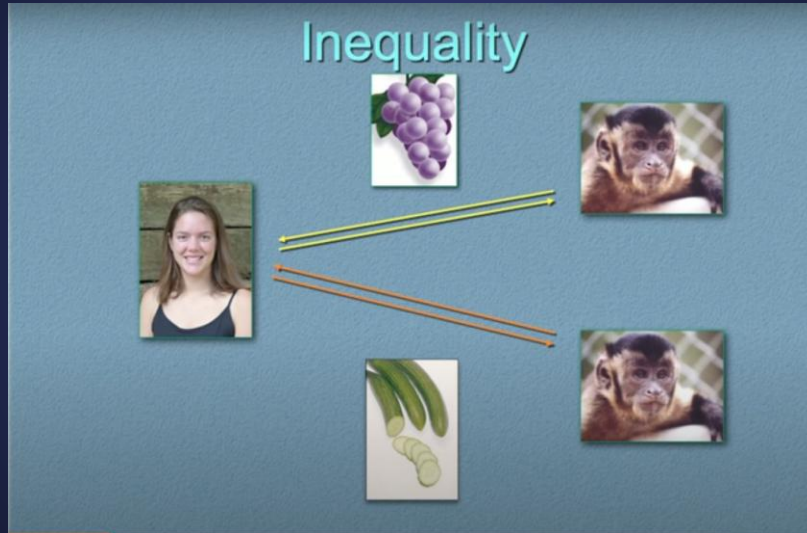
Once you are trained in the collaborative process, you will view disputes with new lenses.

Eg: In family disputes, the process makes it easier for the parties to cooperate in the future, is child-centred and results in longer-lasting arrangements.

Divorce: Collaborative vs. Litigation

	<i>Collaborative</i>	<i>Litigation</i>
<i>Who Controls the Process</i>	You and your spouse control the process and make final decisions	Judge controls the process and makes final decisions
<i>Degree of Adversity</i>	You and your spouse pledge mutual respect and openness	Court process is based on an adversarial system
<i>Cost</i>	Costs are manageable, usually less expensive than litigation; team model is financially efficient in use of experts	Costs are unpredictable and can escalate rapidly including frequency of post-judgment litigation
<i>Timetable</i>	You and your spouse create the timetable	Judge sets the timetable; often delays given crowded court
<i>Use of Outside Experts</i>	Jointly retained specialists provide information and guidance helping you and your spouse develop informed, mutually beneficial solutions	Separate experts are hired to support the litigants' positions, often at great expense to each
<i>Involvement of Lawyers</i>	Your lawyers work toward a mutually created settlement	Lawyers fight to win, but someone loses
<i>Privacy</i>	The process, discussion and negotiation details are kept private	Dispute becomes a matter of public record and, sometimes, media attention
<i>Facilitation of Communication</i>	Team of Collaborative Practice specialists educate and assist you and your spouse on how to effectively communicate with each other	No process designed to facilitate communication
<i>Voluntary vs. Mandatory</i>	Voluntary	Mandatory if no agreement
<i>Lines of Communication</i>	You and your spouse communicate directly with the assistance of members of your team	You and your spouse negotiate through your lawyers
<i>Court Involvement</i>	Outside court	Court-based

Fun sharing



Two Monkeys Were Paid
Unequally: Excerpt from
Frans de Waal's TED Talk

<https://youtu.be/meiU6TxysCg>



Soft Skills

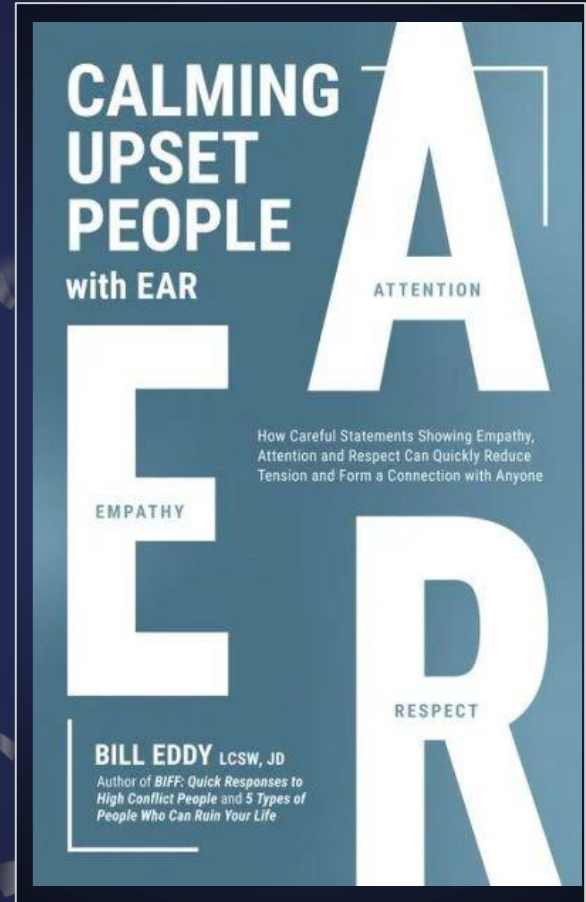
BIFF

DRAMA TRIANGLE

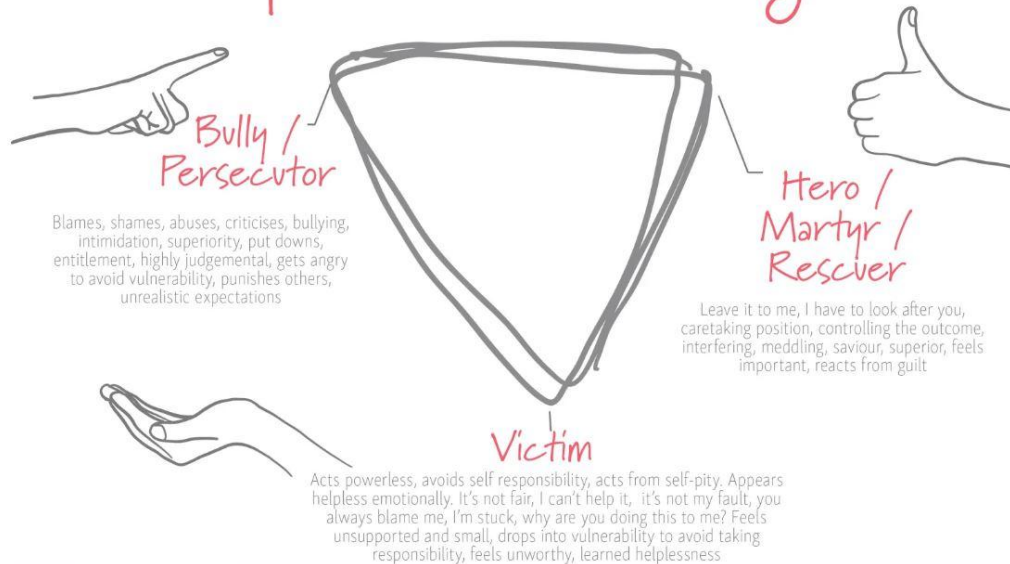
BILL EDDY



BIFF
Brief
Informative
Friendly
Firm
Communication for
Estranged Families



Karpman's Drama Triangle





<<<

CP in Action

<<<

The background is a dark blue gradient with numerous small, light blue and white confetti pieces scattered throughout, giving the impression of falling streamers or party confetti. A white rectangular border frames the central text area.

THE COLLABORATIVE
COMMUNITY

LIKE MINDED
PEOPLE

MR. BRIAN
GALBRAITH

IACP
PRESIDENT



FLC LUNCH
HOSTED BY HONEY TAN


TOAST SPEECH




MCPG DINNER 17th

MCPG GROUP
LEADERS 2022/23



The background is a dark blue field covered with small, dark blue and black confetti pieces. Three silver, metallic-looking ribbons are draped across the corners: one in the top-left, one in the top-right, and one in the bottom-right. A thin white rectangular border is centered on the slide.

Paper Folding
Demonstration
to bring home!

The image features a dark blue background with a white rectangular border. Inside the border, the text "Peacemaking" is written in a large, white, sans-serif font. Below it, the phrase "Let it begin with me." is written in a smaller, white, sans-serif font. The background outside the border is decorated with numerous small, white, diamond-shaped confetti pieces that appear to be falling from the top.

Peacemaking
Let it begin with
me.

Thank you!

Does anyone have any questions?



rajash@radvocates.my



<https://my.linkedin.com/in/rajashree-suppiah-8470175>

